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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/508,803	09/23/2004	Nobuyuki Fujiwara	450100-04444	3946

7590 11/27/2007  
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EXAMINER
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ANDRAMUNO, FRANKLIN S

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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11/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



## Office Action Summary

Application No.

10/508,803

Applicant(s)

FUJIWARA ET AL.

Examiner

Franklin S. Andramuno

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09/23/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 09/23/04
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_



## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (US 2003/0172382 A1) in view of Wehmeyer (Patent Number 6,169,543 B1).

Regarding claims 1, 5-7, Kim discloses an information processing apparatus, method, a recording medium which records a program in a computer-readable format, and a program which controls a computer to execute comprising: first generating means for generating a content information space based on content information and on additional information related to said content information (**Broadcasting signal receiver (201) in figure 2 - The broadcasting signal receiver receives the broadcasting signals and regenerates video signals**); receiving means for receiving search information from an information processing terminal over a network (**Detailed**



**information detector (204) in figure 2 – The information detector receives the information to be able to detect its content);** first acquiring means for acquiring a search keyword from said search information received by said receiving means (**Detect keywords, such as proper nouns (s304) in figure 3**); searching means for searching a search-related information database for information related to said search keyword acquired by said first acquiring means (**Is search mode using given keywords requested (s307) in figure 3**); second generating means for generating a search keyword space based on said related information retrieved by said searching means and on said search keyword (**Is search mode based on text input requested (s313) in figure 3**); comparing means for comparing information (**Command applier (212) in figure 2**) in said content information space generated by said first generating means with information in said search keyword space generated by said second generating means (**System controller (205) in figure 2**); preparing means for preparing a list of display-ready information from the information deemed to match as a result of the comparison by said comparing means; and transmitting means for transmitting said list of display-ready information prepared by said preparing means to said information processing terminal (**Image Signal Processor (203) in figure 2**). However, Kim fails to compare the results of the searches by said comparison means. Wehmeyer, discloses a controller (115) which responds to entry of the keywords by searching the characteristic information occurrences (or matches with) the keywords [**column 14 lines 58-63**].



Regarding claim 2, Kim discloses an information processing apparatus according to claim 1, further comprising updating means for updating said search-related information database on the basis of said content information space generated by said first generating means **(The keywords stored I the second storage unit (208) can be periodically updated by the system controller (205) [page 3 paragraph (0039) lines 4-7])**.

Regarding claim 3, Wehmeyer discloses an information processing apparatus according to claim 1, wherein said preparing means prepares said list of display-related information from the matching information derived from the comparison by said comparing means, in accordance with said search information **(The controller (115) then modifies the menu to display those of the program or item identifiers and the additional program or item identifiers which have matched terms in the characteristic information [column 14 lines 58-63])**.

Regarding claim 4, Kim discloses an information processing apparatus according to claim 1, further comprising second acquiring means **(detect keywords, such as proper nouns (s304) in figure 3)** for acquiring said content information from another information processing apparatus over said network **(Detailed information detector**.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Franklin S. Andramuno whose telephone number is 571-




Art Unit: 2623

270-3004. The examiner can normally be reached on Mon-Thurs (7:30am - 5:00pm)  
alternate Fri off (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571)272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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